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THE DECLARATION OF THE LORDS AND COMMONS in PARLIAMENT assembled,

Concerning his MAIESTIES severall *Messages* about the MILITIA.

Iovis, 5. *Maij*, 1642.

Ordered by the LORDS *and* COMMONS *assembled in* PARLIAMENT, *that this* Declaration *shall bee forthwith printed and published.*

JOHN BROWNE, *Cleric. Parlament.*

LONDON,
Imprinted for *Math. Rhodes*, in the Yeare. 1642.

THE DECLARATION OF THE LORDS AND COMMONS in Parliament assembled,

Concerning his Majesties Levell Neglect about the Militia.

Iovis, 5. Maij, 1642.

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IOHN BROWNE, Cleric. Parliamen.

LONDON,
Imprinted for Iohn Bellamy, in the Yeare. 1642.

Die Iovis 5. Maii 1641.

THE Lords and Commons holding it necessary for the peace and safety of this Kingdome to settle the *Militia* thereof, did for that purpose prepare an Ordinance of Parliament, and with all humility did present the same to His Majestie for His Royall assent, Who notwithstanding the faithfull advice of His Parliament, and the severall reasons offered by them of the necessity thereof, for the securing of His Majesties Person, and the peace and safety of his people, did refuse to give his consent; and thereupon they were necessitated, in discharge of the trust reposed in them as the representative body of the Kingdome, to make an Ordinance by Authority of both Houses, to settle the *Militia*, warranted thereunto by the fundamentall Lawes of the Land: his Majesty taking notice thereof, did by

severall Messages invite them to settle the same by Act of Parliament, affirming in His Majesties Message sent in Answer to the Petition of both Houses presented to His Majesty at *Yorke, March* 26. That he alwales thought it necessary the same should be setled, and that he never denyed the thing, only denyed the way; and for the matter of it, took exceptions only to the Preface, as a thing not standing with His honour to consent to, and that Himselfe was excluded in the execution, and for a time unlimited: Whereupon the Lords and Commons being desirous to give His Majestie all satisfaction that might be, even to the least tittle of forme, and circumstance; and when His Majesty was pleased to offer them a Bill ready drawne, did for no other cause then to manifest their hearty affection to comply with *His* Majesties desires and obtaine his consent, entertaine the same; and in the meane time no way declining their Ordinance, and to expresse their earnest zeale to correspond with *His* Majesties desire (in all things that might consist with the peace and safety of the Kingdome, and the trust reposed in them) did passe that

Bill

Bill, and therein omitted the preamble inſerted before the Ordinance, limitted the time to leſſe then two yeeres, and confined the authority of the Lievtenants to theſe three particulars, namely Rebellion, Inſurrection, and forraigne Invaſion, and returned the ſame to his Majeſty for His royall aſſent. But all theſe expreſſions of affection and loyalty, all thoſe deſires and earneſt endeavours to comply with His Majeſty, hath (to their great griefe and ſorrow) produced no better effect then an abſolute denyall, even of that which His Majeſty by His former Meſſages, as we conceive, had Promiſed; the advice of evill and wicked Counſels, receiving ſtill more credit with Him, then that of His great Counſell of Parliament, in a matter of ſo high importance, that the ſafety of His Kingdome, and the peace of his people depends upon it. But now what muſt be the exceptions to this Bill? not any ſure, that was to the Ordinance; for a care was taken to give ſatisfaction in all theſe particulars. Then the exception was becauſe that the diſpoſing and execution thereof was referred to both Houſes of Parliament, and His

Majeſty excluded: and now that by the Bill, the Power and execution is aſſertained, and reduced to particulars, and the Law of the Realme made the Rule thereof, His Majeſtie will not truſt the Perſons. The power is too great, too unlimited to truſt them with. But what is that power? Is it any other, but in expreſſe termes to ſuppreſſe Rebellion, Inſurrection, and forraigne invaſion? And who are thoſe Perſons? are they not ſuch as were nominated by the great Counſel of the Kingdome, and aſſented to by his Majeſty. And is it too great a power to truſt thoſe perſons with the ſuppreſſion of Rebellion, Inſurrection, and forraigne Invaſion? ſurely the moſt wicked of them that adviſed his Majeſty to this Anſwer cannot ſuggeſt, but that it is neceſſary for the ſafety of his Majeſties Royall Perſon and the peace of the Kingdome, ſuch a power ſhould bee put in ſome hands. And there is no pretence of exception to the perſons. His Majeſty for the ſpace of above fifteene yeares together, thought not a power farre exceeding this to be too great to intruſt particular perſons with, to whoſe will the Lives and Liberties

of

of his people by Martiall Lawes were made subject, for such was the power given to Lord Lievtenants, and Deputie Lievtenants in every Countie of this Kingdome, and that without the consent of his people, or authority of Law. But now in case of extreame necessity, upon the advice of both Houses of Parliament for no longer space then two yeares, a lesser power, and that for the safety of King and people, is thought too great to trust particular persons with, though named by both Houses of Parliament, and approved of by his Majestie himselfe. And surely if there bee a necessity to settle the *Militia* (which his Majesty was pleased to confesse) the persons cannot bee intrusted with lesse power then this to have it all effectuall. And the Presidents of former Ages when there hapened a necessity to raise such a power, never straitned that power to a narrower compasse, witnesse the Commissions of Array in severall Kings Raignes, and often issued out by the consent and the authority of Parliament. The Lords and Commons therefore intrusted with the safety of the Kingdome, and peace of the People, (which they call God

to

to witneſſe is their onely aime) finding themſelves denied theſe their ſo neceſſary, and juſt demands, and that they can never be diſcharged before God or Man, if they ſhould ſuffer the ſafety of the Kingdome and peace of the people to bee expoſed to the malice of the malignant party at home, or the fury of enemies from abroad. And knowing no other way to encounter the imminent & approaching danger, but by putting the people into a fit poſture of defence, doe reſolve to put their ſaid *Ordinance* in preſent execution, and doe require all perſons in authority by vertue of the ſaid *Ordinance* forthwith to put the ſame in execution, and all others to obey it, according to the fundamentall lawes of the Kingdome in ſuch caſes, as they tender the upholding of the true Proteſtant Religion, the ſafety of his Majeſties Perſon, and his Royall Poſterity, the peace of the Kingdome, and the being of this Common-wealth.

FINIS.